7256006/2023

21/04/2023

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department - Allegation of Criminal Misconduct and Criminal Conspiracy against Sri N.V.Vasantha Rao, P&E Inspector, Nellore (Retd.) for his involvement in Liquor Syndicate Case – Disciplinary action initiated – Delinquent officer placed on his defence before the Tribunal for Disciplinary proceedings – Orders of Hon'ble High Court dated 23.02.2021 in W.P.No.4051 of 2021 – Implemented – Orders – Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No.260 Dated:18.04.2022

Read the following:

1. From the DG, ACB Lr. No.23/RCO-NNL/2012, dated:12.10.2012.
2. From the DG, ACB Lr. No.70/RCO-NNL/2012, dated:05.11.2012.
3. Govt. Memo No.46420/Vig.V(2)/2012-1,Revenue(Vig.V)Dept.,dt.16.01.2013.
4. Govt. Memo No.49902/Vig.V(2)/2012-1,Revenue(Vig.V)Dept.,dt.16.01.2013.
5. Orders of Hon'ble High Court dated 24.12.2020 in W.P.No.4059 of 2020.
6. Orders of Hon'ble High Court dated 23.02.2021 in W.P.No.4051 of 2021 filed by Sri N.V. Vasantha Rao, P&E Inspector (Retd.), Nellore District.

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ORDER:

Sri N.V. Vasantha Rao, P&E Inspector (Retired), Nellore District, while he was in service, is involved in two (02) disciplinary cases pertaining to liquor syndicate cases of Nellore District, along with other Prohibition & Excise officials. After conducting detailed enquiry, the Director General, Anti Corruption Bureau in his final reports Dt.12.10.2012 & 05.11.2012 recommended to place Sri N.V. Vasantha Rao, P&E Inspector (Retd.), Nellore District on his defence before Tribunal for Disciplinary Proceedings (TDP), along with other Prohibition & Excise officials in the above two cases.

2. After careful examination of the recommendations of the Director General, ACB, Government have entrusted the case of all P&E officials involved in these two (02) cases including Sri N.V. Vasantha Rao, P&E Inspector, Nellore (Retd.) to the Tribunal for Disciplinary Proceedings (TDP), vide Memos 3rd and 4th read above. Charge Memos were issued by the Tribunal for Disciplinary Proceedings vide TEC No.598 of 2013, Dt.17.01.2018 and vide TEC No.446/2013, dt:29.11.2018. Enquiry Reports from the Tribunal for Disciplinary Proceedings are awaited.

3. Sri N.V. Vasantha Rao, P&E Inspector, Nellore (Retd.) has filed Writ Petition No.4051 of 2021 before the Hon'ble High Court with a prayer to set aside the above said charge memos and requested for pensionery benefits. The Hon'ble High Court in its orders dated:23.02.2021 in W.P. No.4051 of 2021 is pleased to pass the following order (operational part):

" The issue involved in this petition is squarely covered by the order of this Court in Writ Petition No.4059 of 2020 dated 24.12.2020. This petition also stands allowed in terms of the said order "

4. The Hon'ble High Court is pleased to pass the following orders on 24.12.2020 in W.P. No.4059/2020:

"Undisputedly, in the case on hand, the incident of misconduct took place on 05.03.2012 and the charge memo was issued on 03.08.2018 almost after lapse of six years four months 28 days. Therefore, by applying the law laid down in STATE OF UP's case (supra), the charge memo, dated 03.08.2018, is liable to be set aside.

In the result, the Writ Petition is allowed setting aside the Charge Memo in Tribunal Enquiry Case No.311/2013, dated 03.08.2018 (Served on 20.08.2018) issued by the 3rd respondent. The respondents are directed to release the pensionary benefits of the petitioner within three months from today. There shall be no order as to costs.

(P.T.O)

5. Government, after careful examination of the matter, and in compliance and due respect to the orders dated:23.02.2021 of the Hon'ble High Court of A.P passed in W.P.No.4051 of 2021, hereby release all the retirement benefits such as Encashment of earned leave, full pension, Gratuity and other benefits to Sri N.V. Vasantha Rao, P&E Inspector, Nellore (Retd.), subject to outcome of the Writ Appeal to be filed before the Hon'ble High Court of Andhra Pradesh.

6. The Commissioner of Prohibition and Excise, A.P., Vijayawada shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri N.V. Vasantha Rao, P&E Inspector, Nellore (Retd.)
(through the Commissioner, Proh. & Excise, A.P., Vijayawada)
The Commissioner, Proh. & Excise, A.P., Vijayawada.
Copy to:
The Secretary, Tribunal for Disciplinary Proceedings, A.P., Hyderabad.
The Director General, ACB, A.P., Vijayawada.
The Secretary to VC, APVC, A.P.Secretariat, Velagapudi.
The Principal Accountant General (A&E), Vijayawada.
The Director of Treasuries and Accounts, A.P. Vijayawada.
The G.P. for Services-I, High Court of A.P., Amaravati.
Sf/Sc

//FORWARDED:: BY ORDER//

SECTION OFFICER

Receipt copy

Government Pleader
for Services (I), Andhra Pradesh
High Court, Amaravati.

28/4/22